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23 IN THE UNITED STATES DISTRICT COURT

24 FOR THE NORTHERN DISTRICT OF CALIFORNIA

25 JULIE C. CHAO, an individual, and in her  
26 capacity as Trustee of CHAO LIVING  
27 TRUST,

28 Plaintiff,

29 v.

30 PSM HOLDING CORP., a corporation, and  
31 DOES 1-20, inclusive,

32 Defendants.

CASE NO. C 08-0100-EMC-ARB

STIPULATION AND [PROPOSED]  
ORDER TO EXTEND DEFENDANT PSM  
HOLDING CORP.'S TIME TO RESPOND  
TO THE COMPLAINT

1 WHEREAS, on December 10, 2007, plaintiff Julie C. Chao (“Chao”), served  
2 defendant PSM Holding Corp. (“PSM”) with its Complaint for Declaratory Relief  
3 (the “Complaint”) and Summons issued by the Superior Court of California for the  
4 County of San Mateo by United States registered mail, pursuant to California Code  
5 of Civil Procedure §415.40;

6 WHEREAS, on January 7, 2008, PSM removed the above-entitled action  
7 from State court to the United States District Court for the Northern District of  
8 California (the “Northern District”);

9 WHEREAS, on January 7, 2008, PSM filed a Notice of Pendency of Other  
10 Action requesting transfer of the above-entitled action from the Northern District  
11 to the Honorable Valerie Baker Fairbank in the Central District of California, for  
12 the reasons stated therein;

13 WHEREAS, on January 9, 2008, the parties met and conferred pursuant to  
14 Northern District Local Rule 7-11 on PSM’s intent to file an Administrative  
15 Motion for Determination of Related Case;

16 WHEREAS, pursuant to Federal Rules of Civil Procedure 6 and 81(c)(2)(C),  
17 PSM’s response to the Complaint would be due on January 14, 2008, absent an  
18 order pursuant to this Stipulation;

19 WHEREAS, the parties wish to have a resolution, either by court order or by  
20 agreement of the parties, on the issues raised in the Notice of Pendency or any  
21 motion that PSM may file for determination of related case, before any responsive  
22 pleading to the Complaint is due;

23 WHEREAS, no previous extensions of time have been requested by either  
24 party in the above-entitled action; and

25 WHEREAS, the requested extension of time would have no detrimental  
26 effect on the schedule for the above-entitled action;

27 THEREFORE, plaintiff Chao and defendant PSM hereby stipulate, through  
28 their respective counsel and pursuant to Federal Rule of Civil Procedure 6(b) and

1 Northern District Local Rules 6-1, 6-2 and 7-12, that PSM shall have up to and  
2 including February 4, 2008, to respond to the Complaint in this matter.

3 Dated: January 10, 2008

FRIEDMAN DUMAS & SPRINGWATER  
LLP

6 By: /s/CECILY A. DUMAS

Cecily A. Dumas

Attorneys for Plaintiff

JULIE C. CHAO

10 Dated: January 10, 2008

MILBANK, TWEED, HADLEY &  
McCLOY LLP

13 By: /s/PATRICIA J. QUILIZAPA

Patricia J. Quilizapa

Attorneys for Defendant

PSM HOLDING CORP.

17 PURSUANT TO STIPULATION, IT IS SO ORDERED

19 DATED:

By: \_\_\_\_\_

Judge

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 601 South Figueroa Street, 30th Floor, Los Angeles, California 90017.

On January 10, 2008, I served the foregoing document described as **STIPULATION AND [PROPOSED] ORDER TO EXTEND DEFENDANT PSM HOLDING CORP.'S TIME TO RESPOND TO THE COMPLAINT** on the interested parties in this action:

X by placing true copies thereof enclosed in sealed envelopes addressed as follows:

FRIEDMAN DUMAS & SPRINGWATER LLP  
Cecily A. Dumas (SBN 111449)  
Robert L. Fleischman (SBN 80045)  
Brandon C. Chaves (SBN 225595)  
150 Spear Street, Suite 1600  
San Francisco, CA 94105  
Telephone: (415) 834-3800  
Fax: (415) 834-1044

X **BY MAIL:** Following ordinary business practices at the Los Angeles, California office of Milbank, Tweed, Hadley & McCloy LLP, I placed the sealed envelopes for collection and mailing with the United States Postal Service on that same day. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing. Under that practice, such correspondence would be deposited with the United States Postal Service on that same day, with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business.

       **BY FEDERAL EXPRESS:** Following ordinary business practices at the Los Angeles, California office of Milbank, Tweed, Hadley & McCloy LLP, I placed the sealed envelope(s) for collection and retrieval by Federal Express on that same day. I am readily familiar with the firm's practice for collection and processing of correspondence for retrieval by Federal Express. Under that practice, such correspondence would be retrieved by Federal Express on that same day, with fees thereon fully prepaid at Los Angeles, California, in the ordinary course of business.

       **BY EMAIL:** I caused the above-entitled document(s) to be sent to the recipient(s) noted via electronic transfer (EMAIL) at the email address(es) indicated, as previously agreed by the parties.

Executed on January 10, 2008, at Los Angeles, California.

BETH A. AALBERTS  
Type or Print Name

/s/BETH A. AALBERTS  
Signature